

1 [Urging Immediate Passage of California State Assembly Bill No. 828 (Ting) and Senate Bill  
2 No. 939 (Wiener, Gonzalez) - Eviction and Foreclosure Moratoriums for Residential and  
3 Commercial Tenants During the COVID-19 State of Emergency]

4 **Resolution urging the State Legislature to immediately pass State Assembly Bill No.**  
5 **828 as proposed to be amended, authored by Assembly Member Phil Ting, and Senate**  
6 **Bill No. 939, authored by California State Senators Scott Wiener and Lena Gonzalez, to**  
7 **prohibit foreclosures and the eviction of residential and commercial tenants during the**  
8 **state of emergency related to the COVID-19 pandemic.**

9  
10 WHEREAS, On February 25, 2020, Mayor London Breed issued a Proclamation  
11 Declaring the Existence of a Local Emergency in San Francisco related to COVID-19; and

12 WHEREAS, On March 4, 2020, California Governor Gavin Newsom declared a State of  
13 Emergency in California related to COVID-19; and

14 WHEREAS, On March 11, 2020, the San Francisco Health Officer issued a Declaration  
15 of Local Health Emergency, Order No. C19-05; and

16 WHEREAS, On March 12, 2020, the Governor issued Executive Order N-25-20  
17 ordering that residents heed the orders of state and local public health officials, including but  
18 not limited to the imposition of social distancing measures; and

19 WHEREAS, On March 13, 2020, the Health Officer issued Order No. C19-05b  
20 (revised), Declaration of Local Health Emergency in the City and County of San Francisco;  
21 and

22 WHEREAS, On March 13, 2020, Mayor Breed issued a Supplement to the  
23 Proclamation of Local Emergency to establish a moratorium on residential evictions for  
24 nonpayment of rent arising from COVID-19 during the Local Emergency; and

25

1           WHEREAS, On March 16, 2020, the Health Officer issued Order No. C19-07, directing  
2 all individuals living in the county to shelter at their place of residence except that they may  
3 leave to provide certain essential services or engage in certain essential activities and work  
4 for essential business and government services (shelter in place); and

5           WHEREAS, On March 18, 2020, Mayor Breed issued a Supplement to the  
6 Proclamation of Local Emergency to establish a moratorium on commercial evictions for  
7 nonpayment of rent arising from COVID-19 for businesses with gross receipts of less than \$25  
8 million during the Local Emergency; and

9           WHEREAS, On March 19, 2020, Governor Newsom issued an Executive Order  
10 requiring all California residents to stay at home indefinitely, except for essential activities; and

11           WHEREAS, On March 20, 2020, Assembly Member Phil Ting and Senator Scott  
12 Wiener proposed amendments to Assembly Bill No. 828 to prohibit foreclosures and all  
13 evictions, except in cases of nuisance or waste, of residential tenants for the duration of the  
14 Governor’s declaration of emergency and for 15 days thereafter, including those initiated  
15 since the declaration of emergency but before the effective date of the bill, and to establish a  
16 one-year recovery period during which tenants may contest an eviction proceeding for non-  
17 payment of rent on grounds of economic hardship related to COVID-19; and

18           WHEREAS, On March 20, 2020, Senators Scott Wiener and Lena Gonzalez amended  
19 Senate Bill No. 939 to prohibit all evictions of commercial tenants for the duration of the  
20 Governor’s declaration of emergency, including evictions initiated since the declaration of  
21 emergency but before the effective date of the bill; and

22           WHEREAS, On March 23, 2020, Mayor Breed issued a Supplement to the  
23 Proclamation of Local Emergency to expand the moratorium on residential evictions to include  
24 other no-fault evictions, with the exception of Ellis Act evictions, during the Local Emergency;  
25 and

1           WHEREAS, On March 24, 2020, the Board of Supervisors unanimously passed a  
2 Resolution under Board File No. 200307 urging Governor Newsom to issue a moratorium on  
3 evictions, including Ellis Act evictions, during the state of emergency; and

4           WHEREAS, As of March 25, 2020, over one million Californians had already filed new  
5 claims for unemployment insurance over a two-week period; and

6           WHEREAS, Approximately 14,000 San Francisco businesses are required to close or  
7 significantly limit operations indefinitely under the City’s shelter in place order, and these  
8 businesses employ approximately 170,000 people; now, therefore, be it

9           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
10 urges the immediate passage as an urgency measure of Assembly Bill No. 828 as proposed  
11 to be amended to prohibit foreclosures and all evictions of residential tenants, except in cases  
12 of nuisance or waste, for the duration of the Governor’s declaration of emergency and to  
13 establish a one-year recovery period during which tenants may claim economic hardship due  
14 to COVID-19 in response to residential eviction proceedings; and, be it

15           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
16 Francisco urges the immediate passage as an urgency measure of Senate Bill No. 939 to  
17 prohibit all evictions of commercial tenants for the duration of the Governor’s declaration of  
18 emergency related to COVID-19; and, be it

19           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
20 Francisco directs the Clerk of the Board to transmit copies of this Resolution to the State  
21 Legislature and the State Lobbyist for the City and County of San Francisco upon passage.